

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Group Art Unit: 1754

Karl-Rudolf HEGEMANN

Examiner: E. Johnson

Serial No.: 10/090,018

Date Filed: February 28, 2002

For: **METHOD OF TREATING GASES ISSUED FROM A SINTERING PLANT**

**LETTER TO EXAMINER AND REQUEST FOR ADMISSION OF PRELIMINARY
AMENDMENT FILED FEBRUARY 28, 2002**

Assistant Commissioner for Patents
Washington, D.C. 20231
Attention: Examiner Edward Johnson

Dear Examiner Johnson:

As a result of the telephone conversation on October 10, 2002 regarding the admission of the Preliminary Amendment to the annexes of the International Preliminary Examination, we resubmit the Preliminary Amendment along with the resubmission of the English translation of the annexes.

The preliminary amendment, originally entered February 28, 2002, seeks to amend the Article 34 amendments as contained in the International Preliminary Examination Report in the form of the annexes. As is allowed by Article 36(2)(b) Rule 70.16, 74.1, and 76.5 (found in paragraph 35 of the PCT Applicant's Guide, Volume II-National Phase, page 7) amendments to the description, claims or drawings under Article 34 that have been filed with the International Preliminary Examining Authority and have been taken into account for the establishment of the international preliminary examination report will be annexed to that report. As is required by Article 36(2)(b) Rule 70.16, 74.1, and 76.5 (found in paragraph 35 of the PCT Applicant's Guide, Volume II-National Phase, page 7) a translation of the amendments annexed to the report must be furnished together with the translation of the international application with the applicable time limit.



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Applicants respectfully maintain that the annexes to the International Preliminary Examination Report were duly translated into English and filed February 28, 2002. Under Article 36(1) Rule 71.1, 72.3 (paragraph 405 of the PCT Applicant's Guide-Volume I - International Phase, page 81) the International Examining Authority transmits copies of the International Examination Report and any annexes to the applicant and the International Bureau. The latter transmits copies of the report and any annexes to the elected offices. **"A translation of any annexes must be prepared and sent to the elected Offices concerned by the applicant himself".**

Applicants state that the English translation of the annexes was submitted February 28, 2002. A preliminary amendment to the annexes was also submitted on February 28, 2002. Both the translation of the annexes and the preliminary amendment are resubmitted herewith along with a copy of the stamped filing receipt evidencing their submission on February 28, 2002.

In addition, a request for correction was filed on May 31, 2002 along with a Request for Refund of the excess multiple dependent fees charged against our deposit account, 14-0112. These items are resubmitted herewith to again reinstate the Request for Refund.

Also attached is the English translation of the body of the International Preliminary Examination Report (IPER), as should have been transmitted by the International Bureau (Article 36(1) rule 71.1, 72.3 (PCT Applicant's Guide-volume I-International Phase, page 81)). In this English translation of the IPER, **it clearly states that the report is accompanied by ANNEXES and that those annexes consist of a total of 10 sheets.**

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It is respectfully requested that the Preliminary Amendment to the annexes of the International Examination Report be duly entered. The preliminary amendment to the annexes seeks to clarify the subject matter and remove multiple dependencies. Subsequently, the applicant requests that the Request for Refund be entered and the appropriate sum be credited to deposit account no. 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By: 

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Date: October 17, 2002
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For: METHOD OF TREATING GASES ISSUED FROM A SINTERING PLANT

REQUEST FOR REFUND

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

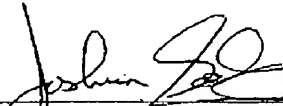
Applicant respectfully requests a refund of money taken from deposit account no. 14-0112. Applicant believes the money was taken in error for excess and multiple dependent claims, when in fact a Preliminary Amendment to remove the multiple dependent claims has been filed.

Thus, applicant respectfully requests that the amounts of \$36.00 for fee code 103, \$280.00 for fee code 104 (both dated March 11, 2002), and \$252.00 for fee code 103 (dated March 28, 2002) for a total of \$566.00 be credited back to deposit account no. 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By:


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Date: October 29, 2002
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